



Application Serial No.: 10/665,580
Attorney Docket No. 019287-0317339 (previously 113794.138 US2)
Petition to Revive Under 37 C.F.R. 1.137(b)

DAC/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Gary FERNANDEZ CONFIRMATION NO. : 6441
SERIAL NUMBER : 10/665,580 EXAMINER : Hien Xuan Vo
FILING DATE : Sept. 19, 2003 ART UNIT : 2863
FOR : APPLICATION RESPONSE MONITOR

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b)

Dear Sir:

Pursuant to 37 C.F.R. 1.137(b), the applicant, through the undersigned attorney, hereby requests revival of U.S. Patent Application No 10/665,580. The Applicant submits that the entire delay in filing the required reply from the due date for the reply (an Office Action originally mailed February 9, 2005) until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional.

This petition is accompanied by (1) the reply required to the outstanding Office Action (including petition for a three-month extension of time) and (2) the petition fee set forth in 37 C.F.R. 1.17(m).

In view of the foregoing, Applicant respectfully requests that the present petition be granted. Should the Commissioner have any questions or concerns regarding this petition, the undersigned may be contacted at the number provided below.

Date: September 16, 2005

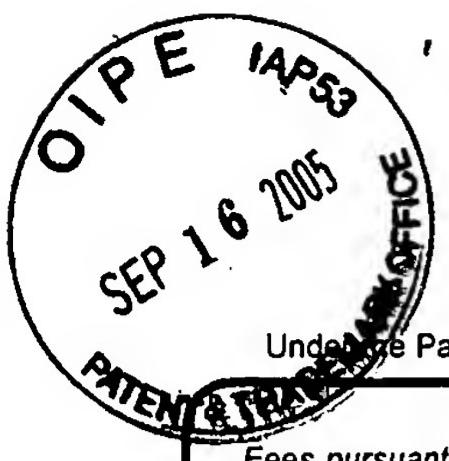
Respectfully submitted,
By: _____

Timothy C. Rooney
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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,500)
Complete if Known

Application Number	10/665,580
Filing Date	September 19, 2003
First Named Inventor	GARY FERNANDEZ
Examiner Name	Hien Xuan Vo
Art Unit	2863
Attorney Docket No.	019287-0317339

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order None Other (please identify): _____

 Deposit Account Deposit Account Number: 033975 Deposit Account Name: PILLSBURY WINTHROP SHAW PITTMAN LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

 Charge any additional fee(s) or underpayment of fees(s) Credit any overpayments under 37 CFR 1.16 and 1.17

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fee Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEESFee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity

Fee (\$) Fee (\$)

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 20 or HP =	X	=	

HP = highest number of total claims paid for, if greater than 20

<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 3 or HP =	X	=	

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEEIf the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity)
for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50 =	(round up to a whole number)	x 250.00	=

4. OTHER FEE(S)

Non-English Specification, 130 fee (no small entity discount)

Other: Petition to Revive

Fee Paid (\$)

1,500.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 55,878	Telephone 703-905-2239
Name (Print/Type)	Timothy C. Rooney	Date	September 16, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.